

107 KAR 1:010. Financial hardship standards.

RELATES TO: KRS 346.010, 346.040, 346.140(3)

STATUTORY AUTHORITY: KRS Chapter 13A

NECESSITY, FUNCTION, AND CONFORMITY: KRS 346.140(3) provides that the Crime Victims Compensation Board shall establish specific standards by rule for determining serious financial hardships. This administrative regulation provides the basis for determining financial hardship of claimants.

Section 1. In determining financial hardship the board or board member shall consider all the financial resources of the claimant except those items specifically exempted by this administrative regulation.

Section 2. All claimants are therefore required to submit a financial statement under oath on forms supplied by this board in order to be eligible for a final award.

Section 3. If a claimant refuses to submit a financial statement, the board member to whom the claim has been assigned shall refuse to make any award in the claim until the claimant furnishes the required statement.

Section 4. In determining financial hardship, the board and its members shall exempt and not take into consideration the following:

- (1) A home and whatever real estate it is located on;
- (2) Personal property consisting of clothing and strictly personal effects, except jewelry;
- (3) Tools and equipment necessary for claimant's trade, occupation or business;
- (4) Household furniture, appliances and equipment, except antiques;
- (5) Family automobiles;
- (6) Savings or valuables or additional property in an amount equal to the claimant's annual net income. (6 Ky.R. 319; eff. 5-7-80; Am. 10 Ky.R. 621; eff. 12-2-83.)